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Attorneys for Defendant Caterpillar Inc.  
(erroneously served and sued as Caterpillar, Inc.)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

NINILCHIK CHARTERS, LLC,

Plaintiff,

vs.

CATERPILLAR, INC., a Delaware  
corporation,

Defendant.

Case No. 3:04-cv-250 (TMB)

**MOTION FOR ENTRY OF JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 58(a)(1), Defendant Caterpillar Inc. ("Caterpillar"), by and through its counsel of record, Hughes Bauman Pfiffner Gorski and Seedorf, LLC, hereby moves this court for Entry of Judgment against the Plaintiff Ninilchik Charters, LLC.

On November 15, 2006, this court granted Caterpillar's Motion for Summary Judgment that disposed of all of plaintiff's claims against Caterpillar. See Document No. 42. To date the court has failed to enter judgment in Caterpillar's favor. Caterpillar suggests that, without further delay, the court enter judgment in its favor in accordance with Form 32 of the Administrative Office forms.

DATED at Anchorage, Alaska, this 7<sup>th</sup> day of September, 2007.

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By: s/ Frank A. Pfiffner  
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Certificate of Service

I hereby certify that on September 7, 2007, a copy of the foregoing Motion for Entry of Judgment by Defendant Caterpillar Inc. was served electronically on:

Davis, Randall & Mathis, PC  
405 W. 36th Avenue, Suite 200  
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And

Leonard R. Anderson  
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s/ Frank A. Pfiffner